

2.7 Southgate Irrigation Company (“Southgate”) is a Utah nonprofit corporation, formerly known as the Santa Clara Seep Ditch Company, which currently has approximately 77.6% of its shares owned and controlled by St. George and is a member of the Board of Trustees of Lower Gunlock.

2.8 City of St. George (“St. George”) is a Utah municipal corporation which currently owns approximately 77.6% of the shares in the Southgate, owns approximately 38% of the shares in the St. George Clara Field Canal Company, and has five (5) representatives on the Board of Trustees of Lower Gunlock.

2.9 St. George Clara Field Canal Company (“St. George Clara”) is a Utah nonprofit corporation which has approximately 38% of its shares owned by the City of St. George, Utah, and approximately 3% of its shares owned by WCWCD, and is a member of the Board of Trustees of Lower Gunlock.

2.10 United States of America (“United States”), acting by and through the Secretary of the Interior.

2.11 State of Utah ("Utah"), acting by and through its Department of Natural Resources.

2.12 Washington County Water Conservancy District (“WCWCD”) is a Utah water conservancy district which owns approximately 3% of Ivins Irrigation and approximately 3% of St. George Clara.

3.0 Definitions.

3.1 “Average Water Year” means when the April 1 forecasted Santa Clara River stream flow for the period of April 1 through July 31, at Santa Clara River near Pine Valley U.S. Geological Survey Gage, as forecasted by the National Weather Service’s Colorado River Basin Center, plus the storage in Gunlock Reservoir on April 1, meets or exceeds 12,500 acre-feet.

3.2 “Below Average Water Year” means when the April 1 forecasted Santa Clara River stream flow for the period of April 1 through July 31, at the Santa Clara River near Pine Valley U.S. Geological Survey Gage, as forecasted by the National Weather Service’s Colorado River Basin Center, plus the storage in Gunlock Reservoir on April 1, is less than 12,500 acre-feet.